

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claims 58-70, drawn to a teat rubber.

Group II, claim 71, drawn to a teat rubber with a curved insertion opening.

2. The groups of inventions listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

Group I lacks the special technical feature of the insertion opening being inwardly and outwardly curved. Group II lacks the special technical feature of hinges being of reduced material thickness, an indentation or a variation of material properties.

3. During a telephone conversation with Terryence Chapman on 11/02/2010, a provisional election was made without traverse to prosecute the invention of Group I, claims 58-70.

Affirmation of this election must be made by applicant in replying to this Office action. Claim 71 is withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

5. This application is in condition for allowance except for the presence of claim 71 directed to an invention non-elected without traverse. However, claim 71 has been cancelled (see below).

EXAMINER'S AMENDMENT

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Terryence Chapman on 11/02/2010.

The application has been amended as follows:

Claim 67, line 5: opening conically tapering towards an innerside inner side

Claim 71: (cancelled)

7. The following is an examiner's statement of reasons for allowance:

a. The prior art does not teach or suggest a teat rubber with, *inter alia*, transitions between a conically tapering surface and a planar teat bearing section, and transitions between the conically tapering surface and an udder bearing surface, with the transitions comprising one of a portion of reduced material thickness, an indentation, and a variation of the material properties in comparison with the properties of the adjoining material.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KRISTEN C. HAYES whose telephone number is (571)270-3093. The examiner can normally be reached on Monday-Thursday, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571)272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KCH
3 November 2010

/Rob Swiatek/
Primary Examiner, Art Unit 3643
4 November 2010